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SUBSIDIARY BODY FOR IMPLEMENTATION
Second session
Geneva, 27 February - 4 March 1996
Item 2 (a) of the provisional agenda

PROVISIONAL AGENDA AND ANNOTATIONS

Note by the Executive Secretary

Addendum

I. ANNOTATIONS TO THE PROVISIONAL AGENDA

1. Opening of the session

1. The second session of the Subsidiary Body for Implementation (SBI) will be opened at 3 p.m. on Tuesday, 27 February 1996, in conference room XIX.

2. Organizational matters

(a) Adoption of the agenda

2. The provisional agenda for the second session of the SBI is presented for adoption (see FCCC/SBI/1996/1).

(b) Organization of the work of the session

(i) Documentation

3. A list of documents relating to the provisional agenda, as well as other documents available at the session, is contained in annex I. Other documents may be made available during the session.

(ii) Schedule

4. During the sessional period 27 February to 4 March, a new system of scheduling the meetings of the SBI and the Subsidiary Body for Scientific and Technological Advice (SBSTA) will be tried out. Formal meetings of the SBI will be held in the afternoons and those of the SBSTA will take place in the mornings. Furthermore, each subsidiary body will be able to hold informal meetings during the half of the day in which it will not have formal meetings.

5. The scheduling of meetings for the SBI session will be based on the availability of facilities during normal working hours. Formal meetings with interpretation will be held in the afternoons from 3 p.m. to 6 p.m. and informal meetings (or meetings of contact groups or subgroups) may be held in the mornings from 10 a.m. to 1 p.m. with interpretation. There will also be some facilities for informal meetings without interpretation. Delegations are urged to use these facilities fully by starting all meetings promptly at the scheduled time. Informal workshops of the Ad Hoc Group on the Berlin Mandate (AGBM) will be held in parallel to meetings of the SBI in the afternoons of 28 February and 4 March. A suggested approach to the organization of work is contained in annex II. In the event that the items scheduled for a particular day are completed ahead of time, other items may be taken up.

(iii) SBI recommendations for action by the Conference of the Parties at its second session (COP 2)

6. At its third session, the SBI must agree on a report to COP 2, including recommendations for action by the COP. Therefore it is proposed that priority consideration be given at the current session to items that will give rise to such recommendations. Where relevant, the SBI should ensure that its recommendations are consistent with those of the SBSTA. Arrangements for COP 2 are being considered by the SBI at this session under item 8 of the provisional agenda. On that item, the SBI has before it document FCCC/SBI/1996/8, including possible elements for a provisional agenda for the session. The following list of points for priority consideration by the SBI is drawn from those agenda elements. For other matters on which the SBI will not provide the COP with recommendations for action, it will be necessary to provide a progress report for the COP to consider and to give guidance on further work.

- Implementation of the commitments in Article 4 of the Convention and of the related decisions of COP 1, including those regarding the development and the transfer of technologies

- Decisions to advance the Convention process:

  (a) Communications by Parties:

    (i) Communications from Annex I Parties: process for consideration

    (ii) Communications from Parties not included in Annex I to the Convention: facilitation and process for consideration

  (b) Financial mechanism:

    (i) Report by the Council of the Global Environment Facility

  (c) Financial and administrative matters:

    (i) Establishment of the permanent secretariat and arrangements for its functioning

    (ii) Convention budget for the biennium 1996-1997 – income and budget performance, and resource deployment for 1997

    (iii) Other voluntary funding for the biennium 1996-1997

3. National communications

(a) Communications from Parties included in Annex I to the Convention

(i) Progress report on in-depth reviews

7. The SBI, at its first session, agreed that the consideration of in-depth reviews would be a standing item on its agenda. It took note of the progress report on the in-depth reviews and requested the secretariat to provide to the SBI at subsequent sessions review reports as they became available. The present session will have before it a brief progress report on the status of in-depth reviews undertaken to date (FCCC/SB/1996/2). The session may wish to take note of this report.

8. A number of in-depth review reports containing a thorough and comprehensive assessment of the implementation of the Convention commitments are available in the original language under the symbol FCCC/IDR.1/(country code). Summaries of a number of the reports are available in all official languages under the symbol FCCC/IDR.1(SUM)/(country code). In accordance with the division of labour with the SBSTA, endorsed at the first session of the SBI, the present session may wish to discuss these reports and start consideration of implementation issues related to optimal utilization of information contained therein for the purposes of the Convention. In this context the AGBM, at its first session, decided to consider at its third session (5-8 March 1996) those aspects of national communications of Annex I Parties and related in-depth review reports relevant to its work, along with any related conclusions or advice that the SBSTA and SBI may provide (FCCC/AGBM/1995/2, para. 19 (k)). The SBI may wish to offer advice to the AGBM on the policy aspects of such communications.

(ii) Elements of the second compilation and synthesis report (policy aspects)

9. The elements of the second compilation and synthesis report of in-depth reviews are contained in document FCCC/SB/1996/1 and Add.1. The SBI may wish to discuss the policy aspects and provide guidance to the secretariat regarding the possible structure and presentation of the synthesis report to be submitted to the SBI for consideration at its third session to enable it to develop conclusions and recommendations for transmission to COP 2.

(b) Communications from Parties not included in Annex I to the Convention: issues related to the compilation and consideration of information

10. The COP, at its first session, by its decision 8/CP.1* on first communications from Parties not included in Annex I to the Convention, requested the subsidiary bodies to develop, for consideration by COP 2, recommendations on guidelines for the preparation of national communications from non-Annex I Parties and proposals for the process to consider these communications. The programme of work of these bodies, as discussed at their first sessions, allocates responsibility for taking the lead to the SBSTA with regard to recommendations on guidelines for the communications and to the SBI with regard to the process for considering the communications (FCCC/SBSTA/1995/2, paras. 23-27; FCCC/SBI/1995/2, paras. 9-13; FCCC/SB/1995/INF.1, para. 2). The SBSTA, at its first session, requested the secretariat to prepare, for consideration at its second session, recommendations on guidelines for the preparation of national communications from Parties not included in Annex I to the Convention, taking into account the views expressed by the Parties and the papers submitted by the Parties, including document A/AC.237/MISC.40

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* For decisions adopted by the Conference of the Parties at its first session, see document FCCC/CP/1995/7/Add.1.

(FCCC/SBSTA/1995/3, para. 35 (a)). At the second session of the AGBM, Parties not included in Annex I to the Convention expressed readiness to advance the preparation of their initial communications taking into account Article 4.3, 4.5 and 4.7 of the Convention and paragraph 2 (b) of decision 1/CP.1, in order to supplement their sustainable development (FCCC/AGBM/1995/7, para. 42).

11. A workshop on the preparation of national communications from Parties not included in Annex I to the Convention, which is being convened by the Group of 77 and China, will be held on Monday, 26 February. The workshop is being held in response to a request from the AGBM. Any relevant conclusions of the workshop will be made available as an input to item 3 (b) of the provisional agenda.

12. The SBI will have before it draft recommendations drawn up by the secretariat elaborating on issues related to the preparation, compilation and consideration of the communications from Parties not included in Annex I (FCCC/SB/1996/3). The SBI will also be informed of any relevant conclusions of the workshop on national communications from Parties not included in Annex I to the Convention.

13. The SBI may wish to commence its discussion of the facilitation of the preparation of communications from non-Annex I Parties and the process for their consideration, taking into account any guidelines that may be recommended by the SBSTA.

4. Financial and technical cooperation

(a) Matters relating to the financial mechanism

14. The SBI, at its first session, took note of the information contained in document FCCC/SBI/1995/3/Add.1 and requested the secretariat to make available at subsequent sessions information on relevant action taken by the Council of the Global Environment Facility (GEF) (FCCC/SBI/1995/5, para. 24). The Council of the GEF met from 25 to 27 October 1995 and relevant decisions are reflected in FCCC/SBI/1996/3. The SBI may wish to consider this information and develop recommendations to COP 2.

15. The COP, at its first session, endorsed the initial guidance on policies, programme priorities and eligibility criteria provided by the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change at its eleventh session to the GEF. The SBI may wish to consider what further guidance the COP could provide to the GEF.

(b) Technical and financial cooperation: progress report

16. The COP, at its first session, took note of a conclusion reached by the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change, at its eleventh session, that the interim secretariat was requested to continue to facilitate the provision of technical and financial support to Parties, in cooperation with its partners, and

to report back periodically to the COP on progress achieved, so that further guidance could be provided (FCCC/CP/1995/7/Add.1, section III (b)). The SBI will have before it a progress report by the secretariat on this matter (FCCC/SBI/1996/4). A full report on this item will be submitted to COP 2.

5. Transfer of technology

17. The COP, at its first session, by its decision 13/CP.1, decided to review, at COP 2 and at each session of the COP thereafter, the implementation of Article 4.5 and 4.1(c) of the Convention. The SBI, at its first session, endorsed the division of labour with the SBSTA and, as suggested in document FCCC/SB/1995/INF.1, will focus on issues relating to transfer of technology and implementation of related commitments, and will consider the "itemized progress report" on implementation of transfer of technology commitments and the elaboration on the terms of transfer (FCCC/SB/1995/INF.1, para. 11). In pursuance of the above, the secretariat has prepared a note for the consideration of the SBI on measures taken by Annex II Parties to transfer environmentally-sound technologies and know-how (FCCC/SBI/1996/5). The SBI may wish to initiate discussions on possible recommendations to COP 2. The SBI may also wish to provide advice to the SBSTA on the improvement of the guidelines for national communications.

6. Matters arising from sessions of other bodies

(a) Conclusions of the Subsidiary Body for Scientific and Technological Advice on a reporting framework for activities implemented jointly under the pilot phase

18. The COP, at its first session, by its decision 5/CP.1, decided that the SBSTA would, in coordination with the SBI, establish a framework for reporting, in a transparent, well-defined and credible fashion, on the possible global benefits and the national economic, social and environmental impacts as well as any practical experience gained or technical difficulties encountered in activities implemented jointly under the pilot phase. The SBSTA, at its second session, is expected to develop the framework for reporting and, should it complete its work early enough in the session, the SBI could take up the issue and provide its views on the framework to the SBSTA. A compilation of views submitted by delegations (FCCC/SBSTA/1996/MISC.1) is available as well as a note by the secretariat on an approach to the framework for reporting (FCCC/SBSTA/1996/5).

7. Institutional and budgetary matters

(a) Update on implementation of decisions 14/CP.1, 15/CP.1, 17/CP.1 and 18/CP.1 of the Conference of the Parties

19. The COP, at its first session, by its decision 14/CP.1, took a number of decisions relating to the institutional linkage of the secretariat, the financing of conference-servicing costs, the provision of administrative support, and the appointment of the head of the secretariat. The conclusions reached by the SBI after reviewing these matters at its first session are contained in document FCCC/SBI/1995/5, paragraph 29.

20. The Executive Secretary will report on the status of these issues in the light of relevant decisions of the General Assembly at its fiftieth session and will review the budgetary situation for 1996, including the status of payments to the trust funds of the Convention (FCCC/SBI/1996/6). The SBI may wish to take note of this information and adopt appropriate conclusions.

(b) Arrangements for the relocation of the Convention secretariat to Bonn

21. The COP, at its first session, by its decision 16/CP.1 on the physical location of the Convention secretariat invited "the Executive Secretary of the interim secretariat to consult the authorities of the host Government regarding arrangements for the smooth transition from the interim to the Convention secretariat." Accordingly, the Executive Secretary, with the Office of Legal Affairs of the United Nations, has initiated discussions with the Government of Germany in order to conclude a tripartite agreement for the establishment of the Convention secretariat in Bonn. This agreement will apply mutatis mutandis the provisions of the agreement already concluded between the United Nations and the Government of Germany concerning the establishment in Bonn of the headquarters of the United Nations Volunteers Programme.

22. Additionally, the secretariat has been discussing with its counterparts in the Government of Germany the practical arrangements for the relocation of the secretariat, including the financial and material aspects thereof and the most appropriate dates for the move.

23. At its meeting on 31 October 1995, the Bureau of the COP noted that the secretariat would inform the SBI on the above subjects and seek appropriate guidance. The SBI will have before it document FCCC/SBI/1996/7 containing information on the above items and related matters.

24. The SBI may wish to consider, in particular, the approach proposed by the Office of Legal Affairs of the United Nations to clarify the juridical personality and legal capacity of the Convention secretariat and take appropriate action thereon. It is hoped that a legal

officer from that Office will be available to explain this approach and answer questions. The SBI is also invited to endorse the intention of the Executive Secretary to conclude and sign the above mentioned agreement with the United Nations and the Government of Germany.

25. The SBI may also wish to express initial views on the ideas advanced by the secretariat regarding the maintenance of channels of communication with Parties, during and after the relocation of the secretariat from Geneva to Bonn.

8. Arrangements for the second session of the Conference of the Parties

26. At its meeting on 31 October 1995, the Bureau of the COP decided that COP 2 would be held in Geneva, from 8 to 19 July 1996. The Bureau also recommended that the period of meetings would open with the COP for one day, then continue with the four subsidiary bodies and revert to the Conference in the middle of the second week.

27. As regards the provisional agenda for COP 2, it will be recalled that rule 9 of the draft rules of procedure states that "in agreement with the President, the secretariat shall prepare the provisional agenda of each session". Accordingly, the Bureau decided that the secretariat should proceed with preparing a draft provisional agenda for COP 2 and that this would be kept under review by the Bureau and the SBI. The Bureau further decided that a thematic approach should guide the preparation of the provisional agenda.

28. At the same meeting, the Bureau decided that the secretariat would prepare, in consultation with the Bureau, a document on all aspects of COP 2 to be considered at the second session of the SBI, in the context of an agenda item on arrangements for COP 2. Accordingly, the SBI will have before it document FCCC/SBI/1996/8 containing information on arrangements being made by the secretariat in connection with COP 2, including a list of possible elements for a provisional agenda for the session and suggestions concerning the organization of the work of the session. The SBI may wish to give guidance on these matters and in particular advise whether there should be a high level or ministerial segment of COP 2.

9. Review of the programme of work, 1996-1997

29. The SBI at its first session, by its decision 1/SBI.1, adopted the proposed programme of work and requested the secretariat to revise the scheduling in the light of the results of the first session of the SBSTA (FCCC/SBI/1995/5, annex). The revision affected two items and for that reason those items only are reproduced in document FCCC/SBI/1996/2 for the information of the SBI. A consolidated text of the programme of work embracing all the revisions made during the first and second sessions will be prepared for the third session when the SBI comes to review the programme of work prior to the second session of the COP.

30. The Chairman may, on 4 March, subsequent to the meeting of the Bureau of the COP on 2 March, provide an oral report on any further decisions of that Bureau relating to the schedule of meetings under the Convention in 1996 and 1997. This schedule will be relevant for the capacity of the secretariat to respond in time to requests from the Convention bodies.

10. Report on the session

31. The relatively short duration of the session may affect the extent to which a draft text of the report on its work could be available at the end of the session. The SBI may wish to adopt decisions or texts of substantive conclusions under the relevant items and sub-items of the agenda and, as at the first session, authorize the Rapporteur to complete the report after the session, under the guidance of the Chairman and with the assistance of the secretariat. While every effort will be made to have conclusions available in all languages, this can only be possible if sufficient time is available for translation.

Annex I

LIST OF DOCUMENTS FOR THE SECOND SESSION OF THE SUBSIDIARY BODY FOR IMPLEMENTATION

Documents prepared for the session

FCCC/SBI/1996/1	Provisional agenda
FCCC/SBI/1996/1/Add.1	Annotations to the provisional agenda
FCCC/SBI/1996/2	Revised programme of work
FCCC/SBI/1996/3	Matters relating to the financial mechanism: arrangements between the Conference of the Parties and the operating entity or entities of the financial mechanism: Information on relevant action by the Council of the Global Environment Facility
FCCC/SBI/1996/4	Financial and technical cooperation: progress report on the activities of the secretariat concerning technical and financial support to Parties
FCCC/SBI/1996/5	Transfer of technology
FCCC/SBI/1996/6	Institutional and budgetary matters: implementation of decision 14/CP.1 on institutional linkage of the Convention secretariat to the United Nations and budget-related matters
FCCC/SBI/1996/7	Arrangements for the relocation of the Convention secretariat to Bonn
FCCC/SBI/1996/8	Arrangements for the second session of the Conference of the Parties, including elements for a provisional agenda

Documents related to the work of both the Subsidiary Body for Implementation and the Subsidiary Body for Scientific and Technological Advice

FCCC/SB/1996/1 and Add.1	National communications from Parties included in Annex I to the Convention: elements of the second compilation and synthesis report
FCCC/SB/1996/2	National communications from Parties included in Annex I to the Convention: progress report on in-depth reviews
FCCC/SB/1996/3	National communications from Parties not included in Annex I to the Convention: issues related to the preparation, compilation and consideration of communications
FCCC/SBSTA/1996/5	Activities implemented jointly under the pilot phase – options for reporting guidelines
FCCC/SBSTA/1996/Misc.1	Activities implemented jointly under the pilot phase – Comments from Parties

Other documents for the session

FCCC/SBI/1995/5 and Corr.1	Report of the Subsidiary Body for Implementation on the work of its first session held at Geneva on 31 August 1995
FCCC/SBI/1995/2	Proposed programme of work
FCCC/CP/1995/7 and Add.1	Report of the Conference of the Parties on its first session held at Berlin from 28 March to 7 April 1995
FCCC/SB/1995/INF.1	Division of labour between the subsidiary bodies established by the Convention

Annex II

PROPOSED SCHEDULE OF WORK FOR THE SECOND SESSION OF THE SUBSIDIARY BODY FOR IMPLEMENTATION

	Tuesday 27 February	Wednesday 28 February	Thursday 29 February	Friday 1 March	Monday 4 March
10 a.m. to 1 p.m.		Informal consultations	Informal consultations	Informal consultations	Informal consultations
3 p.m. to 6 p.m.	Items 1 2 3 (a)	Items 4 (a) 4 (b)	Items 3 (b) 7 (a) 7 (b) 8	Items 5 6 (a) 9	Item 10

(The items of the provisional agenda are listed below.)

Other meetings relevant to the work of the SBI:

- Formal meetings of the SBSTA will be held in the mornings of the days shown in the above schedule. The SBSTA may hold informal meetings in the afternoons in parallel with meetings of the SBI.

- The AGBM will hold informal workshops in the afternoons of 28 February and 4 March, in parallel with meetings of the SBI.

- On 26 February, the Group of 77 and China will convene a workshop on the preparation of national communications from Parties not included in Annex I to the Convention (relevant to agenda item 3 (b)).

- On 2 March, a workshop will be held on mechanisms for inputs by non-governmental organizations.

Items of the provisional agenda:

1. Opening of the session.

2. Organizational matters:

   (a) Adoption of the agenda;
   (b) Organization of the work of the session.

3. National communications:

   (a) Communications from Parties included in Annex I to the Convention:

      (i) Progress report on in-depth reviews;

      (ii) Elements of the second compilation and synthesis report (policy aspects).

   (b) Communications from Parties not included in Annex I to the Convention: issues related to the compilation and consideration of information.

4. Financial and technical cooperation:

   (a) Matters relating to the financial mechanism;
   (b) Technical and financial cooperation: progress report.

5. Transfer of technology.

6. Matters arising from sessions of other bodies:

   (a) Conclusions of the Subsidiary Body for Scientific and Technological Advice on a reporting framework for activities implemented jointly under the pilot phase.

7. Institutional and budgetary matters:

   (a) Update on implementation of decisions 14/CP.1, 15/CP.1, 17/CP.1 and 18/CP.1 of the Conference of the Parties;

   (b) Arrangements for relocation of the Convention secretariat to Bonn.

8. Arrangements for the second session of the Conference of the Parties.

9. Review of the programme of work, 1996-1997.

10. Report on the session.